



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

OFFICE OF  
ENFORCEMENT AND  
COMPLIANCE ASSURANCE

MAY 7 2012

Mr. Ken Tu  
USDA Forest Service  
Colorado Roadless Rule/EIS  
P.O. Box 1919  
Sacramento, CA 95812

Dear Mr. Tu:

In accordance with our responsibilities under the National Environmental Policy Act (NEPA), 42 U.S.C. Section 4321, *et seq.* and Section 309 of the Clean Air Act, 42 U.S.C. Section 7609, the U.S. Environmental Protection Agency (EPA) has reviewed the U.S. Forest Service's (USFS) Final Environmental Impact Statement (FEIS) for the proposed Colorado Roadless Rule.

In July 2011 the U.S. Environmental Protection Agency (EPA) provided comments on the U.S. Forest Service's Revised Draft Environmental Impact Statement (DEIS) for the proposed Rule. In the EPA's letter, we made several recommendations. Principal among them, EPA recommended that the Forest Service consider expanding the acreage that will be provided for upper tier protection; that the Forest Service include in the Final EIS a more robust investigation of how its actions would affect environmental justice communities; and that the agency should carefully consider how it will assess impacts resulting from each alternative's potential greenhouse gas emissions, including emissions from combustion of mined coal resulting from potential future coal development in the North Fork coal mining area. Alternatives 2 and 4 would set aside this area where road construction for future leases could occur.

We start by acknowledging that the purpose of the Colorado Roadless Rule EIS is to assess the impacts of a range of alternatives for rulemaking to protect Forest Service lands as roadless. We appreciate that the Final EIS emphasizes that the Preferred Alternative does not authorize any activities or actions that cause emissions or that would adversely affect any air quality standards and that any future actions would require full compliance with NEPA.

The Final EIS provides more disclosure of baseline air quality conditions and potential impacts from greenhouse gas (GHG) emissions, including an expanded air quality section that includes additional information regarding existing state-wide air quality and Class I Area visibility conditions. The Forest Service has also added a new section that includes a discussion of climate change and GHG emissions in general and a qualitative comparison of the expected GHG emissions among the alternatives. We are particularly pleased to learn that the Forest Service is

committed to full and complete compliance with NEPA should the Service consider any applications for new coal leases within lands ultimately designated in Colorado as roadless. We believe that a careful examination of the climate change implications of any such proposal would be both appropriate and necessary. We also understand that the scope of such NEPA analyses and the identification of mitigation measures in those analyses would depend on the nature and magnitude of the proposed action itself and would be consistent with NEPA, Council on Environmental Quality regulations and Forest Service procedures.

On a related matter, we understand that as an impact analysis of rulemaking to protect Forest Service lands as roadless, the Final EIS does not assess in detail environmental impacts and mitigation measures for future management actions that may or may not come to fruition. We are pleased to learn that the Forest Service intends to carefully evaluate the potential environmental impacts, including potential impacts to environmental justice communities, associated with potential future actions as part of its existing NEPA compliance procedures.

In addition, EPA supports the Forest Service's proposal to significantly increase the acreage that will receive upper tier protection under the Colorado Roadless Rule in the Preferred Alternative. Since these upper tier acres will receive a higher level of protection from tree-cutting, sale, removal and road construction/reconstruction, there should be fewer adverse impacts to air and water resources resulting from these types of activities. To further improve environmental protections, the Forest Service has also added a no surface occupancy stipulation for new oil and gas leases within the upper tier acres. This modification should reduce potential air and water resource impacts that could have been associated with oil and gas development in these areas.

Finally, I want to reiterate our understanding that the action the Forest Service is contemplating will result in long-term protection of millions of acres of currently unroaded lands with substantial associated environmental benefits. We commend the Forest Service for undertaking these actions.

Sincerely,

A handwritten signature in dark ink, reading "Susan E. Bromm", followed by a horizontal flourish line.

Susan E. Bromm  
Director  
Office of Federal Activities